

Term Contract No. 405X

STATE OF NORTH CAROLINA, DEPARTMENT OF ADMINISTRATION		
DIVISION OF PURCHASE AND CONTRACT		
116 West Jones Street, Raleigh, NC 27603-8002		
Term Contract	405X	E-85 Tankwagon
Effective Dates	May 4, 2010 through April 30, 2013	
Bid Number	201000356	
Administrator	Grant Braley	
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Last Updated	February 23, 2012	

1. General Information

The State of North Carolina uses conventional 9.0 RVP gasoline throughout the state year round with the exception of **nine (9) counties that have a low RVP program during the summer months**. Those counties include: **Davidson, Davie, Durham, Forsyth, Gaston, Granville, Guilford, Mecklenburg, and Wake**.

For questions regarding the tank permitting program, contact Annette Parker at the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Underground Storage Tank at (919) 733-8486.

2. Scope of Contract

This contract is intended to cover the normal requirements of E-85 Fuel in Tankwagon deliveries.

3. Minimum Orders

This contract will be for a minimum order of **500 gallons** for any single order. Agencies are authorized to purchase from best available sources on orders less than this minimum order value. This provision shall not be used by an agency to circumvent the intent of the contract. If an agency elects to place an order for less than the minimum order value, then transportation charges will be prepaid and added to the invoice.

4. Placement of Orders

Orders will be placed throughout the contract period on an as-needed basis for the quantity required at the time, and will be issued directly to the respective contractor(s) or their designated suppliers. Contract changes, if any, over the life of the contract are implemented by contract addenda released by the Contract Administrator to the contractor. If the contractor is accepting orders and/or delivering through other parties, for example a manufacturer accepting orders and delivering through a dealer network or dealers receiving orders through a network of other dealers, then it is the responsibility of the contractor to apprise such parties of all such contract addenda.

When ordering unleaded gasoline transport from this contract, please be aware pricing is updated **weekly**. The price will be that in effect at the **time of delivery, not the date the order is released**.

Optional Order Placement Via E-Procurement Steps:

1. All orders will be "Blanket Orders" on this contract. The quantity (line 7) x price (line 9) equals the \$ amount of the blanket order.
2. Open the Ariba Buyer window. Click on the following link: [E-Procurement Users](#)
3. Click on the tab marked, "Non-Catalog".
4. In the field titled, "Full Description", type the following "E-85 Tankwagon per Term Contract 405X".
5. In the field titled, "Commodity Code", find and select the following code "405-14: Gasohol".
6. In the field titled, "Supplier", select the supplier.
7. In the field titled, "Quantity", type in the total dollar amount of this blanket order.

Term Contract No. 405X

8. In the field titled, "Unit of Measure", find and select the following unit of measure "dollars".
9. In the field titled, "Price", type \$1.00.
10. Set the "Blanket Order" tag to "YES".
11. Complete all other appropriate information on this page and click "Add Item".
12. On the View Line Items page click "Edit" to access the Edit Line Item page. On the drop down box next to "Contract?" select "Statewide". When you select "Statewide", the "Contract ID" field appears. Enter your Term Contract ID Number into the "Contract ID" field. Do not use spaces or dashes in the Term Contract ID Number. Your Term Contract Number should be entered as follows "405X". Click "OK".

***** Note: All applicable taxes shall be included in the Tax Amount Field referenced on the requisition. *****

Steps for "Blanket Order" Release for delivery and receiving of goods:

1. **All releases for tankwagon loads will be initiated by the customer.** Place your release requirements by telephone with the designated supplier for a particular location.
2. When invoice is received from the vendor, validate the pricing charged (Price/at delivery date) with the data downloaded from the P&C website. If invoice is approved go to the Ariba Buyer window and receive/approve the goods.

Non E-Procurement Users

The E-Procurement Public View will be the only place for Non E-Procurement Users to view the item/pricing information.

- a. Click on the following link: [E-Procurement Public View](#)
- b. For online assistance regarding item searching; click on the "How to" underlined link located near the upper-right hand corner.

The screenshot displays the Ariba Buyer 'Public View' catalog search page. The browser window title is 'Ariba Buyer - Microsoft Internet Explorer provided by NC Department of Administration'. The address bar shows 'http://contracts.ncgov.com/Buyer/Main/awhwh'. The page features a search interface with the following elements:

- Search Bar:** Includes fields for 'Keywords (And):', 'Keywords (Or):', 'Exact Phrase:', 'Exclude Words:', 'Contract ID:', 'Bundle ID:', 'Supplier Part #:', 'Price:', 'To:', 'ETA (Days):', and 'To:'. There are also 'Search', 'Reset', and 'Options' buttons.
- Filters:** Includes dropdown menus for 'Supplier:', 'Manufacturer:', 'Type Name:', 'Language:', and 'Commodity Code:'. There are also checkboxes for 'Mfg. Part #' and 'Price'.
- Results:** Shows '72,000 items found' and a 'View By: Category' dropdown. The results are organized into categories such as 'AGRICULTURAL EQUIPMENT, SUPPLIES & CHEMICALS (370)', 'BUILDING MATERIALS, MAINTENANCE (10622)', 'EDUCATIONAL & ATHLETIC EQUIPMENT, SUPPLIES (505)', 'FURNITURE (OFFICE, EDUCATIONAL AND HEALTH CARE) (15978)', 'MACHINES, TOOLS, MATERIAL HANDLING (4655)', 'APPLIANCES, ELECTRICAL, CLOCKS (10976)', 'CLOTHING & TEXTILE ITEMS (1412)', 'FOOD & RELATED ITEMS (1750)', 'HIGHWAY CONSTRUCTION EQUIPMENT, GROUNDS (4205)', and 'MEDICAL & LAB EQUIPMENT & SUPPLIES (9727)'.
- Help Link:** A red circle highlights the 'How To' link in the upper right corner of the search area.

5. Taxes

Prices or Discounts shown herein do not include any North Carolina sales or use taxes.

If applicable, itemize them as a separate line item on the invoice. This section is different from previous bids.

- a. **Inspection Tax:** All bid prices shall not include the inspection tax of 1/4 cent per gallon.
- b. **State Road Use Tax:** All bid prices shall not include the state road use tax.
- c. **State Sales & Use Tax:** All bid prices shall not include any state sales and use tax.
- d. **Federal Tax:** Federal tax shall not be included in any bid price or invoice as exemption is claimed as provided by Chapter 32 of the Internal Revenue Code.
- e. **Superfund Charge:** All bid prices are not to include "Superfund Charge", but should be listed as a separate line item.
- f. **Fuel Surcharges:** No fuel surcharges will be allowed during the contract.
- g. Currently there are additional fees that the vendor can pass along to the State of NC. They include the LUST fee, the NORA fee, and the Oil Spill Liability Trust Fund. These would be itemized separately on your invoices to the customer as long as they remain in effect

All agencies participating in the previously mentioned contracts are exempt from Federal Taxes (as provided under Chapter 32 of the Internal Revenue Code.) Appropriate exemption certificates will be executed by the using agencies upon contractor's submittal of same.

6. Delivery and Payment

The contractor(s) will complete delivery within **two (2) days** after receipt of purchase order. In the event the delivery is not received within the contract delivery period, the contractor may be held in default in accordance with paragraph 1, DEFAULT AND PERFORMANCE BOND in the North Carolina General Contract Terms and Conditions, and the state may procure the articles or services from other sources and hold the contractor responsible for excess cost occasioned thereby.

For the purpose of verification by the Using Agency, and at no additional cost to the State, all delivery vehicles are to be equipped with a metered pump or provide delivery load tickets indicating gallons loaded. If a metered pump is provided, a metered delivery ticket shall accompany each delivery. Delivery ticket must indicate total gallons loaded. Driver may be required to "stick" tank prior to and after delivery to verify gallons delivered. All deliveries shall be made in accordance with the requirements of General Statute 81A Weights and Measures Act.

All payments due under any contract awarded pursuant to this invitation for bids is solely the responsibility of the using agency.

Requirements differ with various agencies and institutions, so all contractors should be instructed as to delivery and invoicing requirements when the order is placed.

Agencies should give at least **48 hours notification** to the contractor for delivery and in some instances more notification may be necessary depending on the circumstances. All fuel orders issued under this contract should be fulfilled promptly, unless delayed delivery is requested, to prevent any undue hardship or price disadvantage to the State.

7. Transportation Charges

All goods shall be delivered FOB DESTINATION when the "order value" is **500 gallons or more**, when shipped to a single destination. Orders to a single destination that total less than this "order value" should be shipped prepaid, with transportation charges added to the invoice as a separate item. Transportation charges invoiced for orders equal to or more than this "order value" may be cause for removal of the contractor from the contract.

If the contractor makes partial shipments of an order equal to or more than this "order value" to one destination, all shipments of the order shall be sent FOB DESTINATION with NO additional transportation charges added.

8. Item Pricing Information

The pricing information is updated **weekly** throughout the term of the contract. Click on the following link to view the current week's price; [405X E-85 Tankwagon](#).

9. Contractors

All known minority, women and disabled owned businesses, as well as disabled business enterprises and nonprofit work centers for the blind and severely disabled, including dealers, will be identified with "Minority Owned", "Woman Owned", "Disabled Owned", "DBE" or "BSD" as appropriate after the vendor number. This is being done in an effort to recognize these businesses and to encourage and promote their use to the greatest extent permitted by law.

When more than one supplier is listed for a particular item, selection should be made, whenever possible, from any of the groups identified above, consistent with agency needs and price considerations.

Contractor Name	Address	Contact Information	County Served
Mansfield Oil Company	1025 Airport Parkway SW Gainesville GA 30501	Reine Lee, Government Account Manager Toll Free: (800) 255-6699 Ext 2193 Phone: (678) 450-2193 Fax: (678) 450-2193 rllee@mansfieldoil.com	Alamance, Alexander, Alleghany, Anson, Ashe, Avery, Bladen, Brunswick, Buncombe, Burke, Cabarrus, Caldwell, Camden, Caswell, Catawba, Chatham, Cherokee, Chowan, Clay, Cleveland, Columbus, Cumberland, Currituck, Dare, Davidson, Davie, Durham, Forsyth, Franklin, Gaston, Gates, Graham, Granville, Greene, Guilford, Halifax, Harnett, Haywood, Henderson, Hoke, Hyde, Iredell, Jackson, Johnston, Lee, Lenoir, Lincoln, Macon, Madison, Martin, McDowell, Mecklenburg, Mitchell, Montgomery, Moore, Nash, New Hanover, Northampton, Orange, Pender, Person, Polk, Randolph, Richmond, Robeson, Rockingham, Rowan, Rutherford, Sampson, Scotland, Stanly, Stokes, Surry, Swain, Transylvania, Tyrrell, Union, Vance, Wake, Warren, Watauga, Wayne, Wilkes, Yadkin, Yancey
Potter Oil & Tire Co., Inc	PO Box 7 Aurora NC 27806	Brian Potter, Vice President Toll Free: (800) 962-8473 Phone: (252) 322-4031 Fax: (252) 322-5215 brian@potteroil.com	Beaufort, Bertie, Carteret, Craven, Duplin, Edgecombe, Hertford, Jones, Onslow, Pamlico, Pasquotank, Perquimans, Pitt, Washington, Wilson

10. Vendor Complaint Form

The Vendor Complaint Form can be found by clicking: [Vendor Complaint Form](#).

11. Contract Addenda

Addendum	Effective Date	Description
1	2/23/2012	Contract Extension Approval